

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- THE RHODE ISLAND  
MUNICIPAL TRANSPORTATION INFRASTRUCTURE PROGRAM

Introduced By: Senators Zurier, Britto, Rogers, Lombardo, Felag, DiPalma, Ciccone, and  
Gu

Date Introduced: May 15, 2023

Referred To: Senate Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 42 of the General Laws entitled "STATE AFFAIRS AND  
2 GOVERNMENT" is hereby amended by adding thereto the following chapter:

3 CHAPTER 13.2

4 THE RHODE ISLAND MUNICIPAL TRANSPORTATION INFRASTRUCTURE PROGRAM

5 OF 2023

6 **42-13.2-1. Short title.**

7 This chapter shall be known and may be cited as "The Rhode Island Municipal  
8 Transportation Infrastructure Program Act of 2023".

9 **42-13.2-2. Definitions.**

10 When used in this chapter, the following words and phrases are construed as follows:

11 (1) "Asset management plan" means a strategic and systematic process of operating,  
12 maintaining, and improving physical assets, with a focus on both engineering and economic  
13 analysis based upon quality information, to identify a structured sequence of maintenance,  
14 preservation, repair, rehabilitation, and replacement actions that will achieve and sustain a desired  
15 state of good repair over the lifecycle of the assets at minimum practicable cost.

16 (2) "Department" means the Rhode Island department of transportation.

17 (3) "Program" means the Rhode Island municipal transportation infrastructure program.

18 (4) "Project" means any undertaking eligible for assistance pursuant to the provisions of

1 this chapter.

2 **42-13.2-3. Rhode Island municipal transportation infrastructure program.**

3 There is hereby established the Rhode Island municipal transportation infrastructure  
4 program. This program shall support municipal roadway infrastructure repair and improvement  
5 projects.

6 **42-13.2-4. Municipal transportation infrastructure account.**

7 There hereby established a municipal transportation infrastructure restricted receipt  
8 account within the department. The department shall administer this account and allocate funding  
9 for program projects. Notwithstanding the provisions of § 35-4-27, the account shall be exempted  
10 from the state's indirect cost recovery.

11 **42-13.2-5. Funding.**

12 (a) The state may fund the program through the issuance of general obligation bonds,  
13 refunding bonds, temporary notes, or general revenue appropriated by the general assembly.  
14 Program funds shall be deposited in the municipal transportation infrastructure restricted receipt  
15 account.

16 (b) The department shall develop a funding distribution formula. The department may  
17 consider local road mileage, community population, employment figures, and other applicable  
18 program variables.

19 (c) Funding shall be used to cover construction, right of way and design costs associated  
20 with the project, but shall not be used to pay for utility relocation or enhancements.

21 (d) Funding shall not be awarded for bridge replacements, sidewalks with utilities, or any  
22 project(s) not directly related to the improvement of an existing municipal roadway.

23 (e) The department shall list eligible project criteria in the program regulations.

24 (f) The department shall not allocate more than eighty percent (80%) of program funds in  
25 a given funding cycle and maintain twenty percent (20%) in a contingency fund.

26 **42-13.2-6. Allocation of funds to municipalities.**

27 (a) The department shall notify municipalities about available funding during the month of  
28 January of each calendar year.

29 (b) The department shall set a per community limit on grants received to provide for  
30 equitable distribution amongst cities and towns.

31 (c) Municipalities shall be required to provide a thirty percent (30%) match prior to  
32 receiving a program grant. The match shall be certified through resolution of the municipal  
33 governing body.

34 (d) Municipalities shall not receive funding for roadways not listed in the roadway database

1 in accordance with § 42-13.2-7.

2 **42-13.2-7. Roadway database.**

3 (a) The department shall develop a transparent roadway database for municipalities to  
4 access and upload municipal roadway information required pursuant to subsection (d) of this  
5 section.

6 (b) The database shall be completed and accessible to municipalities within six (6) months  
7 of the effective date of this chapter and municipalities shall have six (6) months following the  
8 launch of the database to compile and upload the road list. Upon activation of the database, the  
9 department shall notify municipalities by electronic mail and provide steps to upload data.

10 (c) Municipalities shall provide the road name, condition, length, infrastructure  
11 under/along the roadway, and pedestrian features. The department may request additional roadway  
12 information deemed pertinent.

13 (d) It shall be the responsibility of the municipality to update the roadway database by  
14 December 31 of each year the program is active to ensure the department has an accurate database  
15 of local roads.

16 (e) The department shall use this information to maintain a comprehensive conditions list  
17 of municipal roadways.

18 **42-13.2-8. Roadway program.**

19 (a) Within one year of receipt of initial program funds into the restricted receipt account,  
20 the department shall open the program to solicitations.

21 (b) The department shall develop program rules and regulations within six (6) months of  
22 the effective date of this chapter and shall provide the rules and regulations to the municipalities  
23 within thirty (30) days of approval.

24 (c) The department shall inform the municipalities of the funding opportunities in  
25 accordance with § 42-13.2-6(a).

26 (d) The department shall provide reporting program guidance documents and training  
27 assistance to municipalities.

28 (e) Projects eligible for funding shall include, but not limited to, repair and rehabilitation  
29 to municipally maintained roads, safety enhancements, lighting, sidewalks, and related work per  
30 the Americans with Disabilities Act, 42 U.S.C. § 12101 et. seq.

31 (f) Each municipality shall report quarterly to the department on the status of awarded  
32 projects.

33 (g) The department shall provide a report to the senate president, speaker of the house, and  
34 governor on a quarterly basis regarding the status of the program.

1           (h) Municipalities shall provide the department with a biennial municipal asset  
2 management plan. The department shall provide the municipalities with an asset management  
3 document.

4           (i) Any municipality which does not comply with reporting requirements, funding  
5 obligation deadlines or other regulations set forth by the department shall be deemed ineligible for  
6 future funding opportunities under the program.

7           SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- THE RHODE ISLAND  
MUNICIPAL TRANSPORTATION INFRASTRUCTURE PROGRAM

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1           This act would establish the Rhode Island municipal transportation infrastructure program.  
2 Pursuant to the program a restricted receipt account would be established in the department of  
3 transportation. Funds in the account would be used to pay for seventy percent (70%) of approved  
4 municipal roadway and related projects. Thirty percent (30%) of costs would be paid by the  
5 municipality.

6           This act would take effect upon passage.

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